

Senate Bill 97

By: Senators Hamrick of the 30th, Mullis of the 53rd, Kemp of the 46th, Unterman of the 45th and Tate of the 38th

AS PASSED

AN ACT

To amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile proceedings, so as to amend certain provisions relating to court supervision fees; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile proceedings, is amended by striking Code Section 15-11-71 of the Official Code of Georgia Annotated, relating to juvenile court supervision fees, and inserting a new Code section to read as follows:

"15-11-71.

(a) The purpose of this Code section is to allow the juvenile courts of Georgia to collect supervision fees from those who are placed under the courts' formal or informal supervision in order that the court may use those fees to expand the provision of the following types of ancillary services:

- (1) Housing in nonsecure facilities that meet the requirements of Code Section 15-11-48;
- (2) Educational services, tutorial services, or both;
- (3) Counseling and diagnostic testing;
- (4) Mediation;
- (5) Transportation to and from court ordered services;
- (6) Truancy intervention services;
- (7) Restitution programs; and
- (8) Job development or work experience programs.

(b) The juvenile court may order each delinquent or unruly child who receives supervision under paragraph (2), (5), or (6) of subsection (a) of Code Section 15-11-66 or Code Section 15-11-67 or counsel and advice pursuant to Code Section 15-11-69 to pay:

- (1) An initial court supervision user's fee of not less than \$10.00 nor more than \$200.00;
- and

- (2) A court supervision user's fee of not less than \$2.00 nor more than \$30.00 for each month that the child receives supervision to the clerk of the court. The child and each parent, guardian, or legal custodian of the child may be jointly and severally liable for the payment of the fee and shall be subject to the enforcement procedure stated in subsection (b) of Code Section 15-11-8. The judge shall attempt to provide that any such fees shall be imposed on such terms and conditions as shall assure that the funds for the payment are from moneys earned by the child. All moneys collected by the clerk under this subsection shall be transferred to the county treasurer, or such other county official or employee who performs duties previously performed by said treasurer, who shall deposit the moneys into a county supplemental juvenile services fund. The governing authority of the county shall appropriate moneys from the county supplemental juvenile services fund to the juvenile court for the court's discretionary use in providing supplemental community based services described in subsection (a) of this Code section to offenders who are children. These funds shall be administered by the county and the court may draw upon them by submitting invoices to the county. The county supplemental juvenile services fund may be used only for these services. Any moneys remaining in the fund at the end of the county fiscal year shall not revert to any other fund but shall continue in the county supplemental juvenile services fund. The county supplemental juvenile services fund may not be used to replace other funding of services.
- (c) For the purpose of this Code section, the term 'guardian' or 'legal custodian' shall not be interpreted or construed to include the Department of Human Resources or the Department of Juvenile Justice."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.